

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

DAMIAN ROBINS,  
Plaintiff,  
v.  
TASHEENA COOKE,  
Defendant.

Case No.: 3:24-cv-00155-MMD-CLB

**ORDER**  
(ECF No. 4)

**I. DISCUSSION**

On April 2, 2024, Plaintiff, an inmate in the custody of the Nevada Department of Corrections (“NDOC”), submitted a collection of prison grievance documents. (ECF No. 1-1). Plaintiff did not file a complaint. Under Federal Rule of Civil Procedure 3, “[a] civil action is commenced by filing a complaint with the court.” Fed. R. Civ. P. 3. As such, the Court grants Plaintiff **until June 10, 2024**, to submit a complaint to this Court.

On April 10, 2024, Plaintiff filed an incomplete application to proceed *in forma pauperis*. (ECF No. 4). Plaintiff’s application to proceed *in forma pauperis* is incomplete because the financial certificate is not complete, and Plaintiff did not include an inmate trust fund account statement for the previous six-month period with the application. The Court will grant Plaintiff an extension **until June 10, 2024**, to either pay the full \$405 filing fee or file a new fully complete application to proceed *in forma pauperis*.

This Court must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev. Loc. R. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly signed by the inmate twice on page 3;

(2) a completed **Financial Certificate**, which is page 4 of the Court's approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or her obligation to pay the filing fee, it just means that the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

## II. CONCLUSION

It is therefore ordered that Plaintiff has **until June 10, 2024**, to submit a complaint to this Court.

It is further ordered that the application to proceed *in forma pauperis* (ECF No. 4) is denied without prejudice.

It is further ordered that Plaintiff has **until June 10, 2024**, to either pay the full \$405 filing fee or file a new fully complete application to proceed *in forma pauperis* with all three required documents: (1) a completed application with the inmate's two signatures on page 3, (2) a completed financial certificate that is signed both by the inmate and the prison or jail official, and (3) a copy of the inmate's trust fund account statement for the previous six-month period.

Plaintiff is cautioned that this action will be subject to dismissal without prejudice if he fails to timely comply with this order. A dismissal without prejudice allows Plaintiff to refile the case, under a new case number, when Plaintiff can file a complaint and either file a complete application to proceed *in forma pauperis* or pay the required filing fee.

The Clerk of the Court is directed to send Plaintiff Damian Robins: (1) the approved form for filing a 42 U.S.C. § 1983 complaint, instructions for the same, and a copy of the grievances that he filed with the Court (ECF No. 1-1); and (2) an application to proceed *in forma pauperis* for an inmate and instructions for the same.

DATED THIS 11th day of April 2024.

  
UNITED STATES MAGISTRATE JUDGE